

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Robert Holland Koon, #227826,
a/k/a Robert Koon,
a/k/a Robert H. Koon,

Plaintiff,

v.

Global Telmate,
Wells Fargo of Charleston,
S.C.D.C.,
Director Stirling,
Annie Rumler,
Rhodesia Taylor,
Major Terry,
M. H. Cunningham,
Classification Greene,
A/W Turner,
Willie Davis,
SCDHEC Director John Doe,
Motley Rice, LLC,
Joseph F. Rice,
Hood Law Firm,
W. Christopher Swett,
Elloree Ganes,
John Doe Law Firms,

Defendants.

Case No.: 4:21-cv-1499-SAL

OPINION AND ORDER

This matter is before the Court on five motions filed by Plaintiff:

- Amended Motion for Leave to Proceed *in forma pauperis*, ECF No. 7;
- Motion to Amend and Supplement Complaint, ECF No. 8;
- Motion for Copy of Summons and Complaint at No Expense, ECF No. 9;
- Motion for a 30 day Continuance to File Objections, ECF No. 10; and
- Motion for Extension of Time to Pay Filing Fee, ECF No. 13.

Each motion is ripe for ruling. Also pending is Plaintiff's first motion for leave to proceed *in forma pauperis*, ECF No. 3. On May 21, 2021, the Magistrate Judge issued a Report and Recommendation ("Report"), ECF No. 5, recommending this Court deny the motion. This Order does not address Plaintiff's first motion for leave to proceed *in forma pauperis*, ECF No. 3, nor does it address the Magistrate Judge's Report and Recommendation, ECF No. 5.

DISCUSSION

I. Plaintiff's motion for copies of the summons and complaint at no expense is denied without prejudice for failure to comply with the Court's copy policy.

In Plaintiff's motion for copies of the summons and complaint at no expense, ECF No. 9, Plaintiff moves the Court to provide him with a copy of the summons and complaint at no expense. Plaintiff's motion, ECF No. 9, is DENIED without prejudice. Plaintiff's request does not comply with the Court's copy policy. The Clerk shall mail Plaintiff the copy policy. If Plaintiff wishes to request copies, he may submit his request to the Clerk's office along with any copy fees.

II. The Court grants Plaintiff an extension to file objections to the Report no later than thirty days from the filing of this Order.

In Plaintiff's motion for a thirty-day continuance to file objections, ECF No. 10, Plaintiff moves the Court to extend the deadline for filing objections to the Report. Plaintiff moves the Court to extend the deadline to thirty days after he receives a copy of the summons and complaint. [ECF No. 10, p.1]. The motion is GRANTED IN PART. Having denied Plaintiff's motion for copies at no expense, the Court declines to base the extension on Plaintiff's receipt of copies. Instead, the Court hereby extends the deadline to file objections to the Report, ECF No. 5, thirty days from the entry of this Order. The deadline to file objections to the Magistrate Judge's Report and Recommendation is therefore July 23, 2021.

III. Plaintiff's remaining motions are denied without prejudice to be included in Plaintiff's objections to the Report.

Plaintiff's remaining motions are as follows: (1) amended motion for leave to proceed *in forma pauperis*, ECF No. 7; (2) motion to amend and supplement complaint, ECF No. 8; and (3) motion for extension of time to pay filing fee, ECF No. 13. Plaintiff also filed a letter, ECF No. 17, and a "notice and (amend) Rule 65 for injunction," ECF No. 18. Each of these filings appears to contain arguments that this Court should not adopt the Magistrate Judge's proposed findings and recommendations.

Plaintiff's filings are not the proper vehicle for objecting to a Magistrate Judge's proposed findings and recommendations. *See* 28 U.S.C. § 636(b)(1)(C) ("Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court."). Accordingly, the motions are DENIED without prejudice. Plaintiff may assert these arguments, and any more objections he may have to the Report, by filing timely objections to the Report. The deadline to file such objections is July 23, 2021.

CONCLUSION

Plaintiff's motion for copies of the summons and complaint at no expense, ECF No. 9, is DENIED without prejudice. The Clerk is directed to mail Plaintiff the copy policy. Plaintiff's motion for a thirty-day continuance to file objections, ECF No. 10, is GRANTED IN PART as follows: Plaintiff shall have thirty days from the entry of this Order to file objections to the Report and Recommendation. Plaintiff's amended motion for leave to proceed *in forma pauperis*, ECF No. 7, motion to amend and supplement complaint, ECF No. 8, and motion for extension of time to pay filing fee, ECF No. 13, are DENIED without prejudice. Plaintiff is to assert any objections

to the Magistrate Judge's proposed findings and recommendations in the form of a timely objection to the Report.

IT IS SO ORDERED.

June 23, 2021
Florence, South Carolina

/s/Sherri A. Lydon
Sherri A. Lydon
United States District Judge